
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Maria Theresa C. Vinluan

Write the full name of each plaintiff.

_____CV_____
(Include case number if one has been
assigned)

-against-

Ardsley Union Free School District and

Jeanne Farruggio

COMPLAINT

Do you want a jury trial?
☒ Yes ☐ No

Write the full name of each defendant. If you need more
space, please write "see attached" in the space above and
attach an additional sheet of paper with the full list of
names. The names listed above must be identical to those
contained in Section II.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ **Federal Question**

☐ **Diversity of Citizenship**

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?
Individual with Disabilities Education Act (IDEA)

Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act (ADA)

Sections 1983 and 1985 of the Civil Rights Act of 1891 for violations of the Fourteenth Amendment

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, N/A, is a citizen of the State of
(Plaintiff's name)

N/A

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

N/A

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, N/A, is a citizen of the State of
(Defendant's name)

N/A

or, if not lawfully admitted for permanent residence in the United States, a citizen or
subject of the foreign state of

N/A

If the defendant is a corporation:

The defendant, N/A, is incorporated under the laws of
the State of N/A

and has its principal place of business in the State of N/A

or is incorporated under the laws of (foreign state) N/A

and has its principal place of business in N/A

If more than one defendant is named in the complaint, attach additional pages providing
information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional
pages if needed.

<u>Maria Theresa</u>	<u>C.</u>	<u>Vinluan</u>
First Name	Middle Initial	Last Name
<u>95 Bradley Ave.</u>		
Street Address		
<u>White Plains</u>	<u>NY</u>	<u>10607</u>
County, City	State	Zip Code
<u>(917)757-8236</u>	<u>tescvin@gmail.com</u>	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:	Ardsley Union Free School District		
	First Name	Last Name	
	c/o Stanley A. Camhi, Esq. at Jaspan Schlesinger, LLP		
	Current Job Title (or other identifying information)		
	300 Garden City Plaza		
	Current Work Address (or other address where defendant may be served)		
	Garden City	NY	11530
	County, City	State	Zip Code
Defendant 2:	Jeanne Farruggio		
	First Name	Last Name	
	c/o Stanley A. Camhi, Esq. at Jaspan Schlesinger, LLP		
	Current Job Title (or other identifying information)		
	300 Garden City Plaza		
	Current Work Address (or other address where defendant may be served)		
	Garden City	NY	11530
	County, City	State	Zip Code
Defendant 3:			
	First Name	Last Name	
	Current Job Title (or other identifying information)		
	Current Work Address (or other address where defendant may be served)		
	County, City	State	Zip Code

Defendant 4: N/A

First Name	Last Name	
N/A		
Current Job Title (or other identifying information)		
N/A		
Current Work Address (or other address where defendant may be served)		
N/A		
County, City	State	Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: Ardsley, NY

Date(s) of occurrence: School Years 2017-18, 2018-19, 2019-20, 2020-21

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

SEE ATTACHMENT

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Deprivation of rights under State, federal, and Constitutional laws

Also SEE ATTACHMENT

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

Declaration that Plaintiff's son (WV) was denied a Free and Appropriate Public Education

under the IDEA and Section 504 of the RA; Declaration that Plaintiff's son (WV) was

eligible for pendency services under the IDEA; Reimbursement for educational services;

Compensatory Educational Services; Costs related to litigation; Compensatory

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

June 16, 2021

Dated

Maria Theresa

C



Plaintiff's Signature

Vinluan

First Name

Middle Initial

Last Name

95 Bradley Ave

Street Address

White Plains

NY

10607

County, City

State

Zip Code

(917)757-8236

tescvin@gmail.com

Telephone Number

Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.